

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK-----X  
UNITED STATES OF AMERICA, :

-against- :

**Richard L Kurtz** :

Defendant. :

CONSENT TO PROCEED BEFORE  
A UNITED STATES MAGISTRATE  
JUDGE ON A FELONY PLEA  
ALLOCUTION.DOCKET NO. **08 CR 402 (RWS)(RF)**-----X  
The undersigned defendant, advised by his or her undersigned attorney, consents to a United States Magistrate Judge presiding over the proceedings required by Rule 11, Fed. R. Crim. P., for me to enter a plea of guilty in my case, or to change my plea, if one has been previously made, from not guilty to guilty. I understand that if my plea is accepted, my sentencing will take place before the United States District Judge who is assigned, who is to be assigned, to my case.

I understand that I have the absolute right to insist that all Rule 11 proceedings be conducted before an Article III Judge and hereby represent and confirm to the Magistrate Judge that no threats or promises, or other improper inducements, have been made to cause me to consent to this procedure, and that I do so voluntarily.

IN WITNESS WHEREOF we have executed this consent this 22<sup>nd</sup> day of May, 2008 at NY, New York.X [Signature]  
DefendantX [Signature]  
Attorney for DefendantAccepted by: [Signature]

United States Magistrate Judge

